

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DAREN LEVIN, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

RESOURCE CAPITAL CORP.,
JONATHAN Z. COHEN, DAVID J.
BRYANT, ELDRON C. BLACKWELL,
and DAVID E. BLOOM,

Defendants.

Case No. 1:15-cv-07081

Hon. Louis L. Stanton

**PLAINTIFFS' NOTICE OF UNOPPOSED
MOTION FOR (I) PRELIMINARY
APPROVAL OF SETTLEMENT, (II)
APPROVAL OF NOTICE TO THE
SETTLEMENT CLASS, AND (III) FINAL
APPROVAL HEARING**

**TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR COUNSEL OF
RECORD:**

PLEASE TAKE NOTICE that Class Representatives Douglas Drees and Allen Altman ("Plaintiffs"), by and through his counsel, will and hereby do move this Court, under Rule 23 of the Federal Rules of Civil Procedure, for entry of an order: (i) preliminarily approving the proposed Settlement; (ii) approving the form and manner of giving notice of the proposed Settlement to Class Members; and (iii) scheduling a hearing to consider final approval of the Settlement, the Plan of Allocation, Lead Counsel's motion for an award of attorneys' fees and reimbursement of litigation expenses, and Plaintiffs' requests for an incentive award.

Plaintiffs' motion is supported by the Stipulation and Agreement of Settlement dated February 5, 2018 (filed herewith as Docket No. 78), including the exhibits attached thereto, and the accompanying brief in support. Attached hereto is the parties' agreed-upon Proposed Order granting Plaintiffs' motion.

Dated: February 5, 2018

Respectfully submitted,

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/s/ Adam M. Apton

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